

AO 245B (Rev. 9/00) Judgment in a Criminal Case
Sheet 1

UNITED STATES DISTRICT COURT 2010 NOV 19 AM 7:58
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

MOHIT A. KHANNA

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987) DEPUTY

Case Number: 10CR2271-LAB

JOHN ELLIS, FEDERAL DEFENDERS, INC.

Defendant's Attorney

REGISTRATION NO. 21103298

☐

THE DEFENDANT:

☒ pleaded guilty to count(s) ONE AND TWO OF THE INFORMATION

☐

was found guilty on count(s)

after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

Title & Section	Nature of Offense	Count Number(s)
18 USC 371	CONSPIRACY TO COMMIT MAIL AND WIRE FRAUD	1
26 USC 7206(1)	FILING FALSE TAX RETURN	2

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s)
- ☐ Count(s) is ☐ are ☐ dismissed on the motion of the United States.
- ☒ Assessment: \$100.00 PER COUNT, TOTAL \$200.00 -WAIVED

- ☒ No fine ☐ Forfeiture pursuant to order filed , included herein.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

NOVEMBER 15, 2010

Date of Imposition of Sentence

HON. LARRY ALAN BURNS
UNITED STATES DISTRICT JUDGE

10CR2271-LAB

DEFENDANT: MOHIT A. KHANNA

CASE NUMBER: **10CR2271-LAB****IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of

COUNT 1 - 41 MONTHS

COUNT 2 - 36 MONTHS CONCURRENT TO COUNT 1

- ☐ Sentence imposed pursuant to Title 8 USC Section 1326(b).
- ☒ The court makes the following recommendations to the Bureau of Prisons:
PLACEMENT IN THE MID-ATLANTIC REGION OF THE UNITED STATES.

☐ The defendant is remanded to the custody of the United States Marshal.☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____ .
as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

- ☐ _____
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____ , with a certified copy of this judgment.

UNITED STATES MARSHALBy _____
DEPUTY UNITED STATES MARSHAL**10CR2271-LAB**

DEFENDANT: MOHIT A. KHANNA
CASE NUMBER: 10CR2271-LAB

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :

COUNT 1 -3 YEARS

COUNT 2 - 1 YEAR CONCURRENT TO COUNT 1

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

For offenses committed on or after September 13, 1994:

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than ____ drug tests per month during the term of supervision, unless otherwise ordered by court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of a DNA sample from the defendant, pursuant to section 3 of the DNA Analysis Backing Elimination Act of 2000, pursuant to 18 USC sections 3563(a)(7) and 3583(d).
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution obligation, it is a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant must comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

10CR2271-LAB

DEFENDANT: MOHIT A. KHANNA
CASE NUMBER: 10CR2271-LAB**SPECIAL CONDITIONS OF SUPERVISION**

- ☒ Submit person, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
- ☒ Not engage in employment or any profession involving fiduciary responsibilities or the solicitation of funds from investors or financial institutions.
- ☐ Not transport, harbor, or assist undocumented aliens.
- ☐ Not associate with undocumented aliens or alien smugglers.
- ☐ Not reenter the United States illegally.
- ☐ Not enter the Republic of Mexico without written permission of the Court or probation officer.
- ☒ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☐ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☐ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☒ The defendant shall cooperation with any administrative findings of the Internal Revenue Service (IRS), shall file any delinquent income tax returns as requested, and shall file future income tax returns as required by law. The defendant shall pay any tax due and owing, including any penalties and interest, to the IRS as directed.
- ☐
- ☒ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☒ Be prohibited from opening checking accounts or incurring new credit charges or opening additional lines of credit without approval of the probation officer.
- ☒ Seek and maintain full time employment.
- ☐ Resolve all outstanding warrants within _____ days.
- ☐ Complete _____ hours of community service in a program approved by the probation officer within _____
- ☐ Reside in a Residential Reentry Center (RRC) as directed by the probation officer for a period of _____
- ☒ Notify the Collections Unit of the U.S. Attorney's Office and the U.S. Probation Office before the defendant transfers any interest in property owned directly or indirectly by the defendant.
- ☒ Notify the Collections Unit of the U.S. Attorney's Office, and the U.S. Probation Office, of any interest in property obtained, directly or indirectly, including any interest obtained under any other name, or entity, including a trust, partnership or corporation, until any fine or restitution ordered is paid in full.

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Sheet 5 — Criminal Monetary Penalties

Judgment — Page 5 of 5

DEFENDANT: MOHIT A. KHANNA
CASE NUMBER: 10CR2271-LAB

RESTITUTION

The defendant shall pay restitution in the amount of \$15,901,724.44 unto the United States of America.

This sum shall be paid immediately.
 x as follows:

The defendant pay restitution in the amount of \$15,901,724.44 through the Clerk, U.S. District Court. Payment of restitution shall be forthwith. During the defendant's incarceration, the defendant shall pay restitution through the Inmate Responsibility Program at the rate of 50% of the defendant's income, or \$25.00 per quarter, whichever is greater. The defendant shall pay the restitution during his supervised release at the rate of \$250.00 per month. These payment schedules do not foreclose the United States from exercising all legal actions, remedies, and process available to collect the restitution judgment. Restitution is to be paid to the following victims and distribution is to be made on a pro rata basis:

Victim	Loss
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The victims' names and addresses, and each victim loss are listed on EXHIBIT 1.

Until restitution has been paid, the defendant shall notify the Clerk of the Court and the United States Attorney's Office of any change in the defendant's mailing or residence address, no later than thirty (30) days after the change occurs.

The Court has determined that the defendant does not have the ability to pay interest. It is ordered that:

 x The interest requirement is waived.

 The interest is modified as follows:

EXHIBIT 1

United States v. Mohit A. Khanna, 10CR0227-LAB
Victims

Last Name	First Name	Loss Amount
Anand	Katar	50,000.00
Anderson	Scott H.	183,378.40
Anderson	Tom & Holly	47,000.00
Arraut	Allison (Rafael)	146,025.00
Bajaj	Pankaj & Sunaina	37,577.01
Banner	Mike	38,500.00
Barnhart	Terry	63,284.00
Basi	Gurdev Singh	15,000.00
Bednar	Jana Dee and Kenneth	
Beer	Dwayne	50,000.00
Beer	Ari	2,460.84
Beer	Miguel & Patricia	24,795.71
Benfield	Vanessa	50,000.00
Bennett	Curtis Lee	24,166.66
Bennett	John	11,600.00
Bennett	Linda F	55,680.00
Bhalla	Ranjive	30,000.00
Bhuller	Devinder & Jasleen	21,000.00
Bhuller	Nachatar Singh	21,000.00
Bigham	Joan E.	15,000.00
Blackburn	Brian	56,179.34
Bogle	Leslie Kent	425,000.00
Burns	John & Catherine	161,477.08
Cameron	Scott	139,053.35
Cardenas	Bernardo	75,400.00
Carter	Keshia L	14,693.34
Chadha	Vibha & Satinderjit	70,100.00
Chandler	Kevin	13,000.00
Chkolnik	Igor	199,980.00
Chopra	Devinder	75,871.20
Chopra	Sanjiv	1,119.59
Chow	Tim	18,000.00
Dabgotra	Sawaran	80,000.00
Dale	Surjeet S	25,000.00
	Joseph Homer &	
Davis	Glenda A	100,000.00
Davis	Paul & Linda	50,000.00
De las Casas	Mario H	20,000.00
Dejoria	John Paul	2,000,000.00

United States v. Mohit A. Khanna, 10CR0227-LAB
Victims

Delany	W. J.	100,000.00
DiGiorgio	Jonee	40,000.00
Dorsey	Eric	58,000.00
Eckert	Jeremy & Catherine	20,000.00
Elliotte	Timothy	44,000.00
Emmett	John & Catherine	23,185.72
Espinosa,	Heidi & Randy	2,500.00
Estrada	Guillermo	10,000.00
Estrada	Kristen & William	5,000.00
Fernandez	Ronald	118,750.00
Gemp	Annette	195,701.58
Global Product Resources		5,000.00
Gomez	William & Lorena	855,000.00
Graves	Bertha	6,836.06
Gray	Kimber Leigh	39,000.00
Green	Jason	50,000.00
Hall	Robert & Natalia	1,613,203.50
Hanson	Michael & Pamela	39,250.00
Harrington	Nelson	120,000.00
Harvell	Joyce	155,500.00
Haskell	Erin	113,000.00
Hegvold	Leila & Jon	45,000.00
Heidt	Michael	74,990.00
Hogan	Michael	101,970.00
Hogan	William T	124,970.00
Hohn	Andrew V & Mary	115,261.88
Hotta	Grace	226,500.00
International Merchandise Solutions, Inc.	Michael & Amy (Louis Weil; Punit Gyandendra; Jeffrey Amon)	159,035.40
Jacob	John K	24,166.66
Jamie	Janie	14,333.34
Jensen	Brian	85,000.00
Jimenez	Lizbeth & Eduardo	22,000.00
Johal	Kashmira Singh	27,964.14
Kaur	Balvir	50,000.00
Kawaja	Essa	594,791.71
Kawaja	Nader V	15,000.00
Keane	William	6,500.00

United States v. Mohit A. Khanna, 10CR0227-LAB
Victims

Kelly	Elizabeth	70,000.00
Kennedy, Sr.	Edward	25,000.00
Khan	Iffekher	39,333.33
Khazei	Deborah	42,984.58
Kim	Edward and Heather	25,430.00
Kriske	Glen Russell	81,250.00
Ladhani	Shaheen	25,000.00
Lai	Ruby	150,000.00
Legarza	Mitchel R & Deborah L	150,000.00
Loflin	Fleeta	44,552.38
Maciel	Markus J	19,333.34
Makkar	Narinder	137,060.36
Makkar	Varinderpal & Sukhneet	9,644.62
Matherly	James	205,533.31
Maxwell	John S	200,000.00
McClintock	Diane & James	23,900.00
Allen & Blanche Moore Foundation		300,000.00
Narantuya	Sukhee	50,000.00
Niemi	Gary	30,000.00
Nijjar	Paramjit & Harjinder	25,000.00
Nored	Jim	392,913.26
North American Precision Metals		200,000.00
Nowakowski,	Mark	75,000.00
Orzoco	Oscar	15,000.00
Parilli	Desa Rae	50,000.00
Pasricha	Davinder S	75,000.00
Paul	Magnolia	1,500.00
Pelpola	Ardni	59,583.33
Perdomo	Herman & Iracema	14,000.00
Perez	Raymond	6,000.00
Pesceone	Annie	3,000.00
Phifer	Mekhi	24,166.67
Puri	Harjit	125,055.46
Ripperry	Dennis	637,500.00
Rinke	Margaret	304,233.00
Riske	Ryan	61,689.03
Robert Andrew & Co., Inc.		25,000.00

United States v. Mohit A. Khanna, 10CR0227-LAB
Victims

Rush	Adrienne- Leigh	24,125.00
Schwartz	Gail C & Richard G	111,738.12
Serraero	Michael & Molly	81,250.00
Shamieh	Elias & Donna	108,500.00
Sharaf	Enayat	29,990.25
Shin	John	13,750.00
Singh	Darshan	55,020.00
Singh	Gurchran	32,578.03
Singh	Jaideep	22,500.00
Singh	Jaspaul	86,000.00
Singh	Singh, Rosa & Sukhvinder	34,500.00
Slusarek	Karl & Louise	940,000.00
Smith	Allen D	30,000.00
Sobero	Peter Francis	76,493.25
Sonnenburg	Allen & Nancy	100,000.00
Spaulding	Brian R	95,416.15
Spearman	Myra R	24,666.67
Spees	Arthur T	50,000.00
Stephens	Taka	30,000.00
Strait	Jennie E	20,000.00
Thomas	Derek	29,750.00
Thompson	Robert M	79,500.00
Tilton	Tim	73,750.00
Torrez	John L	31,000.00
Tunncliffe	Tom	31,250.00
Tyree	John	15,000.00
Virk	Joga Singh	75,938.04
Wendlandt	Robert	20,000.00
Whelan,	Mark	29,980.00
Wilborn	Helen Marr	102,442.59
Wolfe	Mark J	38,505.50
Wynne	Patrica	12,000.00
Yurkovich	Stephanie	9,666.66
Zamora	Eduardo	18,800.00
	TOTAL	15,901,724.44
